

1 J. GARY GWILLIAM (State Bar No. 33430)
RANDALL E. STRAUSS (State Bar No. 168363)
2 GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER
1999 Harrison Street, Suite 1600
3 Oakland, California 94612-3528
Telephone: (510) 832-5411
4 Facsimile: (510) 832-1918

5 Attorneys for Plaintiffs
Richard Adame, Connie G. Bender, and Constance Davis

6 PATRICIA K. GILLETTE (State Bar No. 74461)
7 GREG J. RICHARDSON (State Bar No. 203788)
ORRICK, HERRINGTON & SUTCLIFFE LLP
8 The Orrick Building
405 Howard Street
9 San Francisco, California 94105
Telephone: (415) 773-5700
10 Facsimile: (415) 773-5759

11 Attorneys for Defendant
Bank of America, National Association
12 (erroneously sued as "Bank of America")

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 RICHARD ADAME, CONNIE G.
16 BENDER, and CONSTANCE DAVIS

17 Plaintiff,

18 v.

19 BANK OF AMERICA, NATIONAL
ASSOCIATION (erroneously sued as
20 "Bank of America")

21 Defendant.

Case No. CV 09-0129 SI

**STIPULATED REQUEST TO RESERVE
HEARING DATES FOR DEFENDANT'S
MOTIONS FOR SUMMARY JUDGMENT**

Judge: Hon. Susan Illston

STIPULATION

1
2 1. Defendant Bank of America, N.A. intends to file three motions for summary judgment
3 (one as to each Plaintiff).

4 2. The parties hereto through their respective attorneys of record hereby stipulate and
5 agree to set the hearings for Defendant's first motion for on June 11, 2010 at 9:00 a.m. The motion
6 will follow the regular briefing schedule.

7 3. The parties hereto through their respective attorneys of record hereby stipulate and
8 agree to set the hearings for Defendant's second motion for July 16, 2010 at 9:00 a.m. The motion
9 will follow the regular briefing schedule.

10 4. The parties hereto through their respective attorneys of record hereby stipulate and
11 agree to set the hearings for Defendant's third motion for September 17, 2010 at 9:00 a.m.
12 Defendant's opening brief shall be filed on or before July 23, 2010. Plaintiff's brief in opposition
13 shall be filed on or before August 6, 2010. Defendant's reply brief shall be filed on or before
14 September 3, 2010.

15 5. Both parties agree to the stipulation as indicated by their signatures below. The parties
16 respectfully request that the Court approve the Stipulation and enter an Order thereupon. A form of
17 proposed Order is filed herewith.

18
19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

STIPULATED REQUEST TO RESERVE HEARING DATES

Case No. CV 09-0129 SI

Respectfully submitted,

Dated: April 12, 2010

J. GARY GWILLIAM
RANDALL E. STRAUSS
GWILLIAM, IVARY, CHIOSSO, CAVALLI &
BREWER

By: /s/Randall E. Strauss
Randall E. Strauss
Attorneys for Plaintiffs
Richard Adame, Connie G. Bender
and Constance Davis

Dated: April 12, 2010

PATRICIA K. GILLETTE
GREG J. RICHARDSON
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Patrick K. Gillette
Patricia K. Gillette
Attorneys for Defendant
Bank of America, National Association

Orrick attests that concurrence in the filing of the document has been obtained from the other signatory,
which shall serve in lieu of their signature on the document.

ORDER

The Court having considered the above Stipulation, and good cause appearing therefore,
IT IS HEREBY ORDERED that hearing dates for Defendant's Motions for Summary
Judgment shall be reserved for June 11, 2010; July 16, 2010; and September 17, 2010 at 9:00 a.m. The
parties' modified briefing schedule is hereby adopted.

Hon. Susan Illston



UNITED STATES DISTRICT JUDGE

STIPULATED REQUEST TO RESERVE HEARING DATES

Case No. CV 09-0129 SI